App.F.IX-4

1924. (Judicial)

File No. 68 24

Previous References
Judl 3113-14-1-4
360 22-2 D

Serial Nos. 1-5

Later references.
26-26 Bls 1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5

Part B for March 1926

SUBJECT

Appeal petition of T. Subba Sastry re Archakship of Mallaneswara Swamy temple at Tadepalle

---

Bls 1265 dated 31.3.26 To the Petitioner

Govt see no reason to interfere with the order of the D.C.

G. R S. 11] 1924-25

GENERAL AND REVENUE SECRETARIAT.

(Mans)

NOTES.

File No.

FILE HEADING.

Appeal of Naiyandia Sastry, son of Ramaswami Sastry T. Narasipur, minor by guardian T. Subba Sastry re archakship of Mulastaneswara temple at T. Narasipur

From

T. Subba Sastry. T. Narasipur.

No.	Dated	Received
Diary No. 2374	Enclos. 1 Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the order of the Dy Com. Inspn &c- directing that the banaward of the archakship of the Sri Mulastaneswara temple at T. Narasipur be made in the name of the respondent Subba Dixit.

NOTES AND ORDERS.

The appeal is sufficiently stamped & in time.

Draft forwarding the appeal &c & the Mun Cm for report with records is sent for approval & signature with a draft Lr to the appellant.

NOTES—First Sheet.

1/7/24

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 18 of 192 .

Serial No.	
	The Dy C's order does not call for any interference. It is for orders if the appeal may be rejected.
55/37	2nd Member) Records may be called for when receipt in case may be posted for hearing
	The draft petition may be approved for issue.
2	To the Muzrai Commr, Ns. 418 d. 18.9.24. Forwarded for report with connected records.
3	To the petitioner Nanjunda Pasteg. Ns. 419 d. 18.9.24. Informing him of the above.
4.	From, the Muz. Comr Letter no. C. 335 dt 8.1.25. Submits report with records called for in cl. 2.
	The facts of the case are given at full length in the

NOTE—Contn. sheet

WD 0561—GPB—8750—1 8 22

G. R. S. III-2

General and Revenue Secretariat. | File No. of 19

Serial No.

a

Dy. Comrs. orders appealed against. orders are solicited as regards The date to which this appeal may be posted, as directed by the members of Council. Submitted for orders.

AG 15.1.25.

15.1.25

Four other Cases have been posted for hearing on 29.1.25. Appeal. This case also be posted to the same date.

15.1.25

In order

15.1.25.

295 15.1 2nd member

The Case may be posted to 9th Feb'y

9/2

16.1.25

Notices DDR/Enclosure

AG 15.1.25 16.1.25

Case called Both parties present Order recorded

24/2/25

Appl's appearing Hd are first on adjt. the Counsel have not been represented from notice with the Counsel. Hearing adjd Monday 16th March

NOTE—Contn. sheet

DDR. Notices Enclosed

11.2.25 11.2.25 11.2.25

G. R. S. III-2.

General and Revenue Secretariat.

File No. 66 of 1926.

Serial No.

Dep^t proposes appointment of a person as Secretary to the Legislature

23/3/26

23/3/26

On a careful consideration of the case, I see no reason to interfere with the order of the Dep^t Com^r who has shown due consideration to the appellant.

The appeal is dismissed and the appointment of the Secretary to the Legislature

20/3/26

28/3/26

Dft. and submitted.

27.3.1926

27.3.26

Issue

27/3

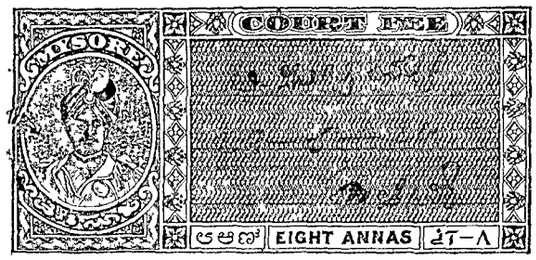
G. R. S. III-2.

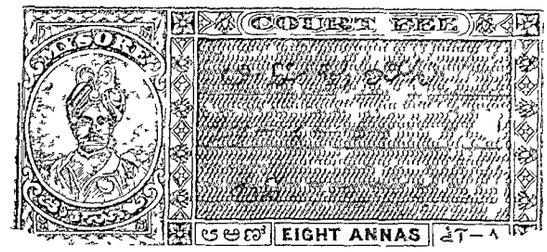
General and Revenue Secretariat.

Mur File No. 68 of 1924

Serial No.	
5	To. Nanjunda Sastry Endt No 1265 dt 31.3.26 Rejects the appeal petn To mur Commr No 1266 dt 31.3.26 forwards Copy of the above To. T. Subba Deekshit, Respondent No 1267 dt. 31.3.26 forwards Copy of the Endt

NOTE—Contn. sheet





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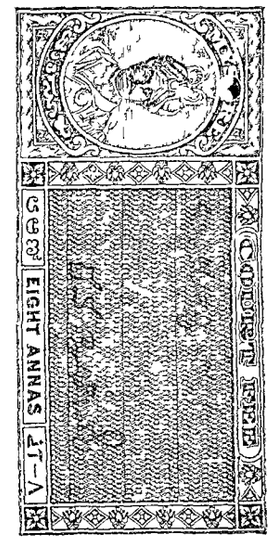
26 JUN 1924
MUZRAI
Dno 2374
Muzz



Before the Government of His Highness the Maharaja of Mysore.

Muzrai Appeal No. 1923-24.

Appellant:- Nanjunda Sastry, son of Ramaswami Sastry, T.Narsipur, minor by guardian T. Subba Sastry.

Vs.

Respondent:- Subba Dixit, residing at Tiramakudlu now Archak in the Sri Trinayaneswaraswami Temple, Fort, Mysore.

The Appellant begs to appeal against the order of the Deputy Commissioner, Mysore District, in case No. 256 of 1922-23 (Muz), upholding the order of the Sub Division Officer, Nanjangud, directing that the baraward of the archakship of the Sri Mulasthaneswaraswami Temple at T.-Narsipur be made in the name of the Respondent for the following among other reasons:-

1. That both the Sub Division Officer, Nanjangud and the Deputy Commissioner, Mysore District, have erred in holding that the Respondent was the descendant of the permanent barawardar Thimmayya

(Karnataka)

2. That the Deputy Commissioner erred in holding that the ancestors of the Respondents hold the office in question as permanent barawardars.

3. That the order passed by the present - Deputy Commissioner is against the order of the then Deputy Commissioner, Mr. A. Subramanya Iyer, confirming the appellant's father Ramaswami Sastry as the Archak of the said temple.

4. That according to the Government order of 21st August 1915, the appellant is entitled to be confirmed as Archak permanently.

5. That Both the Amildar and the Sub Division Officer have ordered the continuance of Subba Sastry (guardian to the Minor appellant) as - Gumastha to the Respondent as it is not possible for the Respondent to work satisfactorily in both the temples, Viz., Sri Agastheswaraswami and Sri Mulasthaneswaraswami; the above order will clearly show that the Respondent cannot discharge his duties satisfactorily.

6. That the Respondent holds office as archak in the following temples:-

1. Sri Agastheswaraswami Temple, Tirumakudlu.
2. Sri Chamarajeswaraswami " ,Chamarajanagar.
3. Sri Trinayaneswaraswami " , Mysore City.

7. That the archakship of Sri Venugopalaswami temple was decided in favour of present archak as the barawardar could not perform his duties satisfactorily (Vide Government Order No. 874/Mux. 360-22-2 dated 15-12-1923).

8. That the order of the Deputy Commissioner is against law, equity and probabilities of the case.

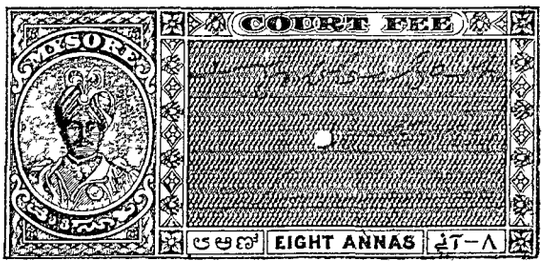
9 Ns Subba Beer Shit a Aravadi can never be a descendant of a Karnataka.

For the above and among other reasons, the appellant prays that the order of the Deputy Commissioner may be reversed and the appellant confirmed as Archak of the Sri Mulasthaneswaraswami temple.

A copy of the order appealed against is herewith submitted.

Dated 20th June 1924, ಇಂ. [signature]

T.-Narsipur.



In the court of the Deputy Commissioner
Mysore District

Present – B. Ramaswamiengar, Esqr., B.A.,
Deputy Commissioner.

Dated this 26th ~~May~~ day of March 1924

Munz. mis. Appl. 256/22-23.

Appellant

Nanjunda Sastry,
minor, Son of Rama-
Swamy Sastri (repre-
Sented by guardian
T. Subba Sastri)

Respondent

Subba Deekshit,
& 5. Timma Kutta,
T. Narasipura
T.P.

Facts of the case.

This is an appeal against the order of the Sub Division officer, Nanjangud, passed on 26-3-23 under no. R.O.C. 1062/22-23 in the matter of Archana Baravaril of the Sri Moolasthana Swamy Devaru

Temple, at T. Narasipur.

The above Temple is a very small institution and had only a small Inadik grant of Rs 1-9-2 per mensem from Govt: for its pariyan and deeparadhane expenses. It would appear that one Gangadhar Deekshit was the Archak in the above Temple for some time and after his death his father Nani Deekshit succeeded him but he left the place soon after for Manjeswar without making any satisfactory arrangement for the conduct of the poo in the Temple. Thus for some years there was no service in the Temple A few years later one Ramaswamy Sastri father of the Appellant was appointed by the Amildar to look after the duties and he continued to do so. In Decr. 1910 Nanjunda Deekshit above named petitioned that the Barrow and might be made out in the name of his nephew Subba Deekshit (Respdt) and Sub. sequently died leaving no issue.

On 18th Febry 1914 Ramaswamy Sastri petitioned praying that he might be confirmed in the post. Subba Deekshit nephew of the

Deekshit petition
stating that the
he made out in
Amildar and Mrs
were in-favour
of Ramaswami
That the Respondents
fore him his brother
temple in a neglected
they had other
Nanjangud and other
importance - was
to this small temple
only a small
per month, and that
Sastri had worked
in the temple and improved
diteon and resources
presentations to her
They were
the Respondent who was
for so many years, had
up his claim to the
sheer spite against
Sastri who was Conducting
Temple Services very
Satisfactorily, and
Deekshit (Respt)

in Sri Agastheswara swamy temple at Tirumullaivoyal - to his work could be expected of him if he were entrusted with the duties of the temple under reference -.

When a report to the above effect was made to the Deputy Commissioner in March 1914, notices were issued to both the petitioner and the counter petitioner and after hearing the parties, the Deputy Commissioner Mr. A. Subramanya Iyer, passed the following order on 14th October 1914:-

" The Deekshit is according to the strict letter of the Law entitled to the office; but seeing that his predecessors gave up the office when the income was small and that then the Shastry took up the pooja, that the Deekshits family have since claimed the office again after the emoluments increased, that this family has work in a number of Temples and that the Shastry is working satisfactorily, I direct that Ramaswamy Shastry be registered as the archak".

Against this order the present Respondent Subba Deekshit preferred an appeal before Govt: who having heard the Case on 21st August 1915 passed the following decision :-

" The Appellants (i.e. present respondents) made

the deceased to the Temple

I Subba Sasby, guardian to the minor appellants also petitioned the Tahsildar Amildar on 18.11.22 stating that he is related to the deceased Sasby as brother-in-law, that the deceased left eight young children behind him all minors, that they are all under his care and that there are no means to support this big family and praying that he might be ordered to look after the pooja office, till Ramaswamy Sasby's children became fit for the work.

The Amildar Submitted a report to the Sub Division officer on 10.12.22 to the effect that as the Respondent is the hakdar Baraverdar, the office might be registered in his or his minor Son's name, as the Respondent held other posts in the Temple at Tiru-makudlu, and that during the Respondents minority, the deceased Ramaswamy Sasby's sons might be ordered to look after the duties on behalf of the former.

The Sub Division officer after recording the Statements of Subba Sasby and Subba Deekshit (Respondent) on 20-2-23, confirmed in his order of 26-3-23 the views of the Amildar and directed the registry of the office in the

the name of the Respondent Subba Sastry (mentioned in the ... appellant who was looking after the Temple duties in the ... Ramaswamy Sastry) be ... to continue ... act as guardian on behalf of the Respondent, in view of the fact that it was not possible for him to work satisfactorily in both the Temples at a time. It is against this order, the present appeal.

petitions are still coming in from the residents of Sri ... Narasipur (Brahmins and other devotees) praying that the appellant be ordered to be continued in the released Ramaswamy Sastry solely alone for reasons stated in it. It is also seen from some of these petitions that the Respondent ... Archana Bandaram's ... Agastheswaraswamy Temple at Somanathpur, (2) the Sri Trinayani Swamy Temple, Fort, Nanjangud etc. and (3) the Sri Channakeshava

Temple at Chamarajanagar.

— —. u — —

order.

The Deputy Commissioner's order of October 1914 was definitely in favour of the appellant's father -- Ramaswamy Sastri, but this was not upheld by the Govt: who in their order of August 1915 directed his continuance only as gumasta during his lifetime, the change of Baraward being decided upon subsequently..

Now, the time having come to effect a change of baraward, the Sub Division officer has on the recommendation of the Amildar passed an order which grants some relief to both parties. While directing that the baraward should be made in the name of the respondent Subba Deekshit, on the ground of the office having been owned by his ancestors, it has been ordered that the duties should be looked after by the appellant until further orders, as the respondent has other duties elsewhere. I cannot say that this order is not equitable, for, after all, the appellant [illegible]

Counsel for ... which was ... dents of ... will not also be ... present in the ... his duties. ... that Ramaswami ... done so much for the ... -gement of the Temple ... order of the Sub-Court ... may be given effect to. The Appeal is dismissed

26-3-1924. Sd. B. Ramesam
Sd. ...
...

"Copy"

Compd: [illegible]

By Order
[illegible]
Assistant Head Translator

Copy applied on 25-4-24
Advance rec'd on 16-5-24
Copy ready on 20-5-24
" delivered on 20-5-24
Rule of Court 1226
Copying fee 1-10-0
Comparing fee 0-6-6
Total Rs. 2-0-6

Muz 4]

SUBJECT .....

.....

.....

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, the *192*

Date of issue 18.9.24

Signed by M T Ramaiya

Section Muz

File No. 18-24

Serial No.

No. 418 — Two.

To The Deputy Commr

Sir,

I am directed to forward herewith an appeal Petn & Regd No. 2374 dated 20th June 1924 received from Nanjunda Sastry Minor by Guardian T. Subba Sastry appealing against the order of the Asst Commr Nagara Dt. dt 26-3-24 directing the Paramount of the Archakship of the Sri Mukteswara Swami temple at T. Narsipur being made over the names

for report with connected records

Yes Respondent - Tubbs Dixie
and Reagan had a report
with Corrected reports
which submitted to the
Have re

11. a.m.

Revised

1/7/24

List of enclosures

Copied by

Examined by

WD 0563—GPB—2 500—27 7 22

Muz 4]

SUBJECT ....

.. ..

... .

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, the *192* .

Date of issue 18.9.24

Signed by Mr T Ramaiya

Section Muz

File No.

Serial No.

No. 419

To

Rangoda Sastry
Son of Ramaswamy Sastry,
Hereditary Guardian
Tirubbasastry
T. Narasipura

Sir,

With reference to his appeal
Petn dt 20-6-24 regarding
the archakship of the
Sri Mulasthaneswara Swami
temple at T. Narasipura

Transmitted
Informed that the
appeal Pet^r has been
forwarded to the Murrai
Com^rs for report with the
Records -

By order

Nov Dec^2

1/7/24

List of enclosures

Copied by

Examined by

WD 0563—GPB—2 500—27 7 22

No. C 335 & 337 re-n-ewe one file Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 8th January 1925.

From

K. Chandy, Esquire., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

10. JAN. 1925

REV. BRANCH 11 JAN 1925 MUZRAI

Dy. 114 3.

To

K. V. Anantaraman, Esquire., B.A., Muz. 68-24-2

Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

1/25

Sir,

With reference to your letter No.418/Muz.68-24-2 dated 18th ---- September 1924 forwarding for report with connected records petition from Nanjunda Sastry minor by guardian T. Subbasastry, appealing against the Mysore District Deputy Commissioner's order directing the baraward of the Archakship of the Sri Mulasthaneswaraswamy temple at T. Narasipur being made in the name of the respondent Subba Diksnit, I have the honor to -- submit herewith the entire records bearing on the subject together with the said appeal petition and its enclosures.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner. Assistant
(absent from duty)

KGR.

APP. F. VI. Gl.]

SUBJECT .....

Section mun

File No. 68-24

Diary No. of letter replied to... ...

Seria No. 5

No.

To

.....

General and Revenue Secretariat

( )

the 192

Endorsement granted to Ranjunda Shastry son of Ramaswamy Shastry minor by guardian T. Subba Shastry, T. Narasipur, with reference to his petition No. 2376 of 20th June 1924, appealing against the Mysore Dy. Comrs. order directing that the Archak karnams of Sri Mulasthanaswamy Swamy temple at T. Narasipur are in the

Date of issue 30/3/25

Signed by

List of enclosures .....

Copied by.....

Examined by.....

over

WD 0562—GPB—31,000—17-8-25

The respt Subba Dikshitu,
The duties of thereof being
looked after by the apltt
until further orders, as the
respt has other duties elsewhere.

The apltt is informed
on a carefl consideration of the case,
that Govt see no reason,
to interfere with the order
of the Dy. Comr who has
shown all possible
Consideration to the apltt. The
appeal is dismissed. B. O.

Asst Secretary.
27/3
27.3.26

1) Copy to the Dy. Comr Cuddapah for info. The records received with his letter No - C. 335 dt 5-1-1926.

2) Copy to the respondent Subba Dikshitu (address) for info. B-O.

Asst Secretary
27/3
27.3.26